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October 13, 2008

Hon. Steven M. Gold
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201
VIA ECF

**Re: Gortat et al. v. Capala Brothers, Inc.. et al.
EDNY Docket No.: 07 cv 3629**

Dear Judge Gold,

I represent Plaintiffs in the above-captioned matter. I am writing to respond to Defendants' reply declaration, submitted today.

Plaintiffs wish to place on the record that, pursuant to conversations with Your Honor's chambers, the upcoming scheduled October 16, 2008 conference will only deal with discovery issues, as Your Honor does not expect the other issues raised in Defendants' motion to be fully briefed by the date of that conference.

Insofar as the upcoming conference will deal with any other issues contained in Defendants' counsel's brief, Plaintiffs respectfully request that they be given adequate time to oppose Defendants' counsel's motion, for which a memorandum of law was first filed today.

Thank you for your attention to the above.

Respectfully submitted,

_____/s/_____
Robert Wisniewski (RW-5308)

cc: Felipe Orner Esq., Counsel for Defendants